



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jason T. Cassezza

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Group Art Unit: 2751

Serial No.: 09/409,330

Filed: September 30, 1999

Examiner: C. Dela Torre

For: Controlling Audio Volume in
Processor-Based Systems

Atty. Dkt. No.: INTL-0268-US
(P7591)

REPLY TO PAPER NO. 3

Assistant Commissioner for Patents
Washington, D.C. 20231

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FEB 08 2002
Technology Center 2100

Dear Sir:

In response to the office action mailed December 19, 2001, reconsideration is requested in view of the following remarks.

Remarks

Claims 1-20, 23, 25 and 26 were rejected under §102(b) as being anticipated by Lee.

Claim 1, for example, calls for obtaining an indicia of the volume level of audio information received by a processor-based system. The audio information may have audio information associated with the audio information that indicates a volume for playback.

Lee never obtains an indicia of the volume level of audio information. Instead, Lee simply receives a signal which is a command to increase or decrease the volume level of audio information already received by the system. The system does not know what the audio level is of that information. It merely knows that the user wishes to increase or decrease that information. It allows incremental increasing and decreasing from steps 0 to 64. Thus, when a system receives a command to increase or decrease the audio level, it also changes an onscreen display and indicates the audio level and then proceeds to adjust the audio level.

Nothing in Lee teaches obtaining information about the audio level of the information actually received. Instead, Lee simply increases or decreases from an unknown audio level.

The signal referred to at column 2, lines 35-37 of Lee and in step 11 in Figure 2 has nothing to do with the actual audio level of information received by a processor-based system.

Date of Deposit: 1/4/02
I hereby certify under 37 CFR 1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated above and is addressed to the Commissioner for Patents, Washington DC 20231.
Lisa O'Sullivan